FACT SHEET

GENERAL KPDES PERMIT FOR STORM WATER POINT SOURCE DISCHARGES

LANDFILL OR LAND APPLICATION SITES

KPDES No.: KYR50
Date: July 22, 2002

1. COVERAGE UNDER THIS GENERAL PERMIT

Area of Coverage:

This permit covers all areas of the Commonwealth of Kentucky.

Discharges Eligible for Coverage:

This permit covers all new and existing storm water discharges associated with industrial activity from active or inactive industrial landfills, open dumps, or land application sites.

Limitations on Coverage:

This permit does not authorize discharges that:

1. Are subject to an existing individual KPDES permit or application,

2. Are subject to a promulgated storm water effluent guideline or standard,

3. The Director has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard or to the impairment of a 303(d) listed water, or

4. Are into a surface water that has been classified as an Exceptional or Outstanding or National Resource Water.

2. REQUIREMENTS FOR GENERAL PERMIT COVERAGE

Notice of Intent:

A signed copy of a Notice of Intent (NOI) form must be submitted to the following address 48 hours before industrial activity begins:

Kentucky Division of Water
KPDES Branch
Inventory and Data Management Section
14 Reilly Road
Frankfort, Kentucky 40601

vb

Unless notified by the Director of the Division of Water to the contrary, owners or operators who submit the above notification are authorized to discharge storm water associated with industrial activity under the terms and conditions of this permit. Discharge may begin 48 hours after the NOI is postmarked, even if the permittee has not yet received a copy of the general permit from the Division of Water.

Coverage under this general permit may be denied and submittal of an application for an individual KPDES permit may be required based on a review of the NOI and/or other information.

Notice of Termination:

When all storm water discharges associated with industrial activity are eliminated, the owner or operator must submit a signed copy of a Notice of Termination (NOT) form in order to end coverage under this general permit and nullify its requirements. NOTs are to be sent to the above address.

Change of Ownership:

When the owner or operator of a facility covered by this permit changes, the new owner or operator must submit a notice 48 hours before the change in order to transfer coverage under this general permit. Change of ownership notices are to be sent to the above address.

3. ADDITIONAL INFORMATION

Municipal Notification:

Facilities which discharge storm water associated with industrial activity to a municipal separate storm sewer system (MS4) shall submit a signed copy of the NOI to the operator of the MS4 48 hours before industrial activity begins.

Other Storm Water Discharges:

Storm water discharges authorized by this permit may be combined with other sources of storm water that are not associated with industrial activity, if the resulting discharge is in compliance with this permit.

4. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

		Limitations		
Discharge Description	**Effluent Characteristics**	**Yearly Average**	**Daily Maximum**	**Applicable Water Quality Criteria**
Storm Water Associated with Industrial Activity	Flow	Report	Report	401 KAR 5:065, Section 2(8)
	Chemical Oxygen Demand	Report	Report	401 KAR 5:065, Section 2(8)
	Oil & Grease	Report	Report	401 KAR 5:065, Section 2(8)
	Total Suspended Solids	Report	Report	401 KAR 5:065, Section 2(8)
	Arsenic, Total Recoverable	Report	Report	401 KAR 5:065, Section 2(8)
	Barium, Total Recoverable	Report	Report	401 KAR 5:065, Section 2(8)
	Cadmium, Total Recoverable	Report	Report	401 KAR 5:065, Section 2(8)
	Iron, Total Recoverable	Report	Report	401 KAR 5:065, Section 2(8)
	Lead, Total Recoverable	Report	Report	401 KAR 5:065, Section 2(8)
	Mercury, Total Recoverable	Report	Report	401 KAR 5:065, Section 2(8)
	Nickel, Total Recoverable	Report	Report	401 KAR 5:065, Section 2(8)
	Selenium, Total Recoverable	Report	Report	401 KAR 5:065, Section 2(8)
	Silver, Total Recoverable	Report	Report	401 KAR 5:065, Section 2(8)
	Zinc, Total Recoverable	Report	Report	401 KAR 5:065, Section 2(8)
	Hexavalent Chromium	Report	Report	401 KAR 5:065, Section 2(8)
	Cyanide (Amenable)	Report	Report	401 KAR 5:065, Section 2(8)
	Chloride	Report	Report	401 KAR 5:065, Section 2(8)
	Total Organic Carbon	Report	Report	401 KAR 5:065, Section 2(8)
	Sulfate	Report	Report	401 KAR 5:065, Section 2(8)
	Ammonia	Report	Report	401 KAR 5:065, Section 2(8)
	Temperature	Report	Report	401 KAR 5:065, Section 2(8)
	Hardness	Report	Report	401 KAR 5:065, Section 2(8)
	Total Dissolved Solids	Report	Report	401 KAR 5:065, Section 2(8)
	pH	Report	Report	401 KAR 5:065, Section 2(8)

Monitoring Requirements:

An estimate of flow shall be made twice per year. A grab sample shall be taken twice per year for Chemical Oxygen Demand, Oil & Grease, Total Suspended Solids, Arsenic, Barium, Cadmium, Iron, Lead, Mercury, Nickel, Selenium, Silver, Zinc, Chromium, Cyanide, Chloride, Total Organic Carbon, Sulfate, Ammonia, Temperature, Hardness, Total Dissolved Solids, and pH.

5. JUSTIFICATION OF PERMIT CONDITIONS

The following regulations are pursuant to KRS 224.10-100, 224.70-100, and 224.70-110.

Flow, Chemical Oxygen Demand, Oil & Grease, Total Suspended Solids, Arsenic, Barium, Cadmium, Iron, Lead, Mercury, Nickel, Selenium, Silver, Zinc, Chromium, Cyanide, Chloride, Total Organic Carbon, Sulfate, Ammonia, Temperature, Hardness, Total Dissolved Solids, and pH
The monitoring requirements for these parameters are consistent with 401 KAR 5:065, Section 2(8).

Best Management Practices (BMP):

This requirement is consistent with 401 KAR 5:065, Section 2(10).

Antidegradation:

The conditions of 401 KAR 5:029, Section 1(1) will be satisfied by coverage under this permit. A review under Section 1(2), (3), and (4) will not be applicable.

6. COMPLIANCE SCHEDULE

The permittee shall achieve compliance with all requirements upon notification of coverage under this general permit.

7. PERMIT DURATION

This permit is valid for five (5) years. Upon issuance of a new general permit, the permittee will have coverage automatically renewed. A new NOI or other notification is not necessary.

8. PERMIT INFORMATION

The application, draft permit, fact sheet, public notice, comments received, and additional information is available from the KPDES Branch in the Division of Water at 14 Reilly Road, Frankfort Office Park, Frankfort, Kentucky 40601.

9. REFERENCES AND CITED DOCUMENTS

All material and documents referenced or cited in this fact sheet are part of the permit information as described above and are readily available at the Division of Water Central Office. Information regarding these materials may be obtained from the person listed below.

10. CONTACT

Additional information concerning this permit may be obtained from Ronnie Thompson at the address noted in Item 8 or at (502) 564-2225, extension 423.

11. PUBLIC NOTICE INFORMATION

Please refer to the attached Final Permit Decision Cover Letter or Public Notice for details regarding the procedures for a final permit decision, deadline for comments, and other information required by 401 KAR 5:075, Sections 12 and 4(2)(e).

PERMIT NO.: KYR50

GENERAL KPDES PERMIT FOR STORM WATER POINT SOURCE DISCHARGES

LANDFILL OR LAND APPLICATION SITES

In compliance with the provisions of the Kentucky Revised Statutes Chapter 224 and pursuant to 401 KAR 5:055, Section 5, the following discharges are authorized:

All new and existing storm water discharges associated with industrial activity that are required to have a permit pursuant to 401 KAR 5:055, Section 1 and KRS 224.16-050.

Specifically excluded from authorization under this permit are operations that:

1. Are subject to an existing individual KPDES permit or application,

2. Are subject to a promulgated storm water effluent guideline or standard,

3. The Director has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard or to the impairment of a 303(d) listed water, or

4. Are into a surface water that has been classified as an Exceptional or Outstanding or National Resource Water.

The receiving water for any discharge authorized by this permit is located within the political boundaries of the Commonwealth of Kentucky. Such authorization is in accordance with the effluent limitations and other conditions set forth in PARTS I, II, III, and IV hereof. This permit consists of this cover sheet, PART I 2 pages, PART II 1 page, PART III 1 page, and PART IV 4 pages.

This permit shall become effective on October 1, 2002.

This permit and the authorization to discharge shall expire at midnight, September 30, 2007.

Date Signed

Jeffrey W. Pratt, Director
Division of Water

Robert W. Logan
Commissioner

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge storm water runoff associated with industrial activity from each outfall identified. Such discharges shall be monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	kg/day(lbs/day)		Other Units(Specify)			
	Yearly Avg.	Daily Max.	Yearly Avg.	Daily Max.	Measurement Frequency	Sample Type
Flow, m^3/day (mgd)	Report	Report	N/A	N/A	2/Year	Estimate
Chemical Oxygen Demand (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Oil & Grease (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Total Suspended Solids (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Arsenic, Total Recoverable (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Barium, Total Recoverable (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Cadmium, Total Recoverable (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Iron, Total Recoverable (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Lead, Total Recoverable (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Mercury, Total Recoverable (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Nickel, Total Recoverable (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Selenium, Total Recoverable (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Silver, Total Recoverable (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Zinc, Total Recoverable (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Hexavalent Chromium (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Cyanide (Amenable) (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Chloride (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Total Organic Carbon (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Sulfate (mg/l)	N/A	N/A	Report	Report	2/Year	Grab
Ammonia (as mg/l N)	N/A	N/A	Report	Report	2/Year	Grab
Temperature (◦C)	N/A	N/A	Report	Report	2/Year	Grab
Hardness (as mg/l $CaCO_3$)	N/A	N/A	Report	Report	2/Year	Grab
Total Dissolved Solids (mg/l)	N/A	N/A	Report	Report	2/Year	Grab

The pH of the effluent shall be monitored twice per Year (2/Year) by grab sample.

There shall be no discharge of floating solids or visible foam or sheen in other than trace amounts. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: nearest accessible point after final treatment, but prior to actual discharge or mixing with receiving waters. Grab samples shall be taken during the first 30 minutes of discharge, if possible. If conditions are not safe for sampling due to local flooding, high winds, electrical storms, etc., the permittee shall collect a sample once dangerous conditions have passed and must provide documentation as to why timely samples could not be collected. Samples shall be collected from a discharge resulting from a storm event that is greater than 0.1 inch and is at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Monitoring requirements do not apply to storm events greater in magnitude than the 10-year, 24-hour storm event. Monitoring frequency may be increased at any time at the discretion of the Division of Water (401 KAR 5:070, Section 6). Report means specific effluent limitations do not exist.

B. Schedule of Compliance

The permittee shall achieve compliance with all requirements upon notification of coverage under this general permit.

STANDARD CONDITIONS FOR KPDES PERMIT

The permittee is also advised that all KPDES permit conditions in KPDES Regulation 401 KAR 5:065, Section 1 will apply to all discharges authorized by this permit.

This permit has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal, and local agencies.

PART III

OTHER REQUIREMENTS

A. Retention of Records:

The permittee shall keep all monitoring results six (6) years from the date the sample was taken. Routine submittal of monitoring results is not required. The permittee shall record monitoring results for each outfall on the attached form, which may be copied as needed. The permittee shall make the monitoring results available upon request to the Director.

The permittee shall keep the BMP plan developed in accordance with PART IV of this permit one (1) year after coverage under this permit ends.

These periods may be extended by request of the Director of the Division of Water at any time.

B. Reopener Clause:

This permit shall be modified, or alternatively revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under 401 KAR 5:050 through 5:080 and KRS 224 if the effluent standard or limitation so issued or approved:

1. Contains different conditions or is otherwise more stringent than any effluent limitation in this permit; or

2. Controls any pollutant not limited in this permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of KRS Chapter 224 when applicable.

C. Other Discharges:

All discharges covered by this permit shall be composed entirely of storm water except for discharges from fire fighting activities, fire hydrant flushing, potable water sources, waterline flushing, irrigation or lawn watering, detergent free building or pavement washing where spills or leaks of toxic materials have not occurred or have been completely removed, air conditioning condensation, natural springs, and uncontaminated ground water sources.

This permit can only authorize storm water discharges from industrial activity that are mixed with storm water discharges from construction activity if the construction activity discharge is in compliance with a different KPDES permit.

D. Releases in Excess of Reportable Quantities:

The presence of hazardous substances or oil in the storm water discharge shall be minimized in accordance with the BMP plan. Coverage under this permit does not relieve the permittee of the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302.

E. Representative Discharge:

When two (2) or more outfalls discharge substantially identical effluents, the permittee may sample only one outfall and may report those monitoring results for the substantially identical outfalls. For each outfall not monitored, an estimate of the size of the drainage area and a determination if the runoff coefficient is high (over 65%), medium (40% to 65%), or low (under 40%) shall be made and recorded.

PART IV

BEST MANAGEMENT PRACTICES

A storm water Best Management Practices (BMP) plan shall be developed in accordance with good engineering practices for each facility covered by this permit. The BMP plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of storm water discharges from the facility. The BMP plan shall describe and ensure the implementation of practices that are to be used to reduce the pollutants in storm water discharges and to assure compliance with the terms and conditions of this permit. Facilities must implement the BMP plan required by this Part as a condition of this permit.

The BMP plan shall:

1. Be completed 180 days after the date of coverage under this permit.

2. Be implemented 365 days after the date of coverage under this permit.

Signature and Plan Review:

The BMP plan shall be signed in accordance with PART II and shall be kept onsite.

The permittee shall make the BMP plan available upon request to the Director, or in the case of a storm water discharge to an MS4 with a KPDES permit, to the operator of the system.

After a review, the permittee may be notified that the BMP plan does not meet the minimum requirements of this PART. In that case, the permittee shall modify the BMP plan within 30 days of notification and shall submit a written certification that the requested changes have been made.

BMP plans required by this permit are considered reports that shall be made available to the public, upon written request by the public, in accordance with Section 308(b) of the Clean Water Act (CWA). However, the permittee may claim any portion of the BMP plan as confidential, in accordance with 40 CFR Part 2.

Plan Modification:

The permittee shall modify the BMP plan when there is a change in design, construction, operation, or maintenance of the facility which has a significant effect on the potential for the discharge of pollutants to waters of the Commonwealth and shall implement the changes within 30 days.

Modification for Ineffectiveness:

The permittee shall amend the BMP plan if it proves to be ineffective in controlling the discharge of pollutants to waters of the Commonwealth and shall implement the changes within 30 days.

Other Plans:

Spill Prevention Control and Countermeasure (SPCC) plans developed for a facility under Section 311 of the CWA, or other plans required by a KPDES permit, may be incorporated or incorporated by reference into the BMP plan required by this PART.

Minimum Requirements:

The BMP plan shall include, as a minimum, Items A through F.

A. Potential Pollutant Sources:

The BMP plan shall include a clear description of all the potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges, or which may discharge pollutants during dry weather to storm sewers draining the facility. Potential pollutants from loading and unloading areas, outdoor storage facilities, outdoor manufacturing or processing operations, dust generating activities, and outdoor waste disposal sites shall be included. For each pollutant present, a prediction of the direction of flow and of the likely parameters present, such as Biochemical Oxygen Demand, shall be made.

The BMP plan shall include an inventory of all materials that are, or have been, handled, treated, stored, or disposed of in a manner to allow exposure to storm water as well as a summary of any existing discharge sampling data indicating the level of pollutants in storm water discharges from the facility.

The BMP plan shall include a description of the method and location of on-site storage or disposal, management practices used to minimize contact of materials with storm water, and any storm water treatment provided.

B. Site Map:

The BMP plan shall include a site map showing each storm water outfall and its drainage area, any structural control measures, and all surface water bodies. The site map should show fueling stations, vehicle and equipment maintenance and cleaning areas, loading and unloading areas, storage or disposal areas, liquid storage tanks, processing areas, and locations where materials are exposed to precipitation.

C. Spills and Leaks:

The BMP plan shall include a list of significant spills or leaks of toxic or hazardous materials that have occurred at the facility. The location of any major spill or leak shall be indicated on the site map.

D. Storm Water Control Measures:

The BMP plan shall include a clear description of what storm water runoff control measures are used. The following control measures shall be used as a minimum.

1. Good Housekeeping - A clean, orderly facility shall be maintained.

2. Preventive Maintenance - Storm water management devices shall be properly maintained, such as cleaning catch basins and oil/water separators. Equipment and systems shall be inspected and tested as necessary to uncover conditions that could cause breakdowns or failures resulting in the discharge of pollutants to surface waters.

3. Spill Prevention and Response Procedures - Areas where potential spills could occur, and their drainage points, shall be identified. Clean up procedures and the necessary equipment shall be made available to the appropriate personnel. Where appropriate, the use of devices such as diversion valves should be considered.

4. Inspections - Qualified personnel shall inspect designated areas of the facility and equipment at appropriate intervals specified in the BMP plan. Follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections and follow up actions shall be maintained.

5. Employee Training Programs - Employee training programs shall be held to inform personnel, at all levels of responsibility, of the components and the goals of the BMP plan. Periodic training should address topics such as spill response, good housekeeping, and material management practices. Dates of employee training should be designated.

6. Non-Storm Water Certification - A certification that all discharges have been tested or evaluated for the presence of non-storm water flows shall be included. The certification shall include a list of any potential significant sources of non-storm water flows, the test or evaluation results, the evaluation criteria or testing method used, the date of the test or evaluation, and the outfalls that were observed during the test or evaluation.

   If certification is not feasible, the BMP plan shall include a list of any potential significant sources of non-storm water flows and shall indicate why the certification was not feasible. A permittee that is unable to provide the certification must notify the Division within 180 days of coverage under this permit. The notification shall include a clear description of any test conducted for the presence of non-storm water flows, explain the test results or other relevant observations, and list potential sources of non-storm water flows.

7. Sediment and Erosion Control - Areas that have a high potential for soil erosion due to topography, local activities, or other factors shall be identified. Measures that will limit erosion shall be implemented.

8. Management of Runoff - A narrative consideration of the suitability of traditional storm water management practices (practices other than those that control the source of pollutants) to divert, infiltrate, use, or otherwise manage storm water runoff in a manner that reduces storm water discharges from the facility shall be included. Those measures determined to be reasonable and appropriate, based upon the potential of various sources at the facility to contribute pollutants to the storm water discharges, shall be implemented and maintained. Appropriate measures may include collecting and using storm water in a process or for irrigation or using vegetative swales, infiltration devices, retention/detention devices, and snow management procedures.

E. Comprehensive Compliance Evaluation:

Qualified personnel shall conduct a facility compliance evaluation at least once a year.

Material handling areas and other potential sources of pollution identified in the BMP plan shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Structural storm water pollution prevention measures and sediment and control measures identified in the BMP plan shall be observed to ensure that they are operating correctly. A visual inspection of the equipment needed to implement the BMP plan, such as spill response equipment, shall be made.

Based on the results of the inspection, the list of potential pollutant sources shall be revised if necessary. Changes to the BMP plan shall be made within two (2) weeks of the inspection and changes shall be implemented within 12 weeks.

A report summarizing the scope of the inspection, personnel making the inspection, the date of inspection, major observations relating to the implementation of the BMP plan, and actions taken shall be made and retained as part of the BMP plan for at least three (3) years after the date of inspection, or until one (1) year after coverage under this permit ends. The report shall be signed in accordance with PART II.

F. Non-Storm Water Discharges:

The BMP plan shall identify and ensure the implementation of appropriate pollution prevention measures for any non-storm water component of a discharge as listed in PART III C, except for flows from fire fighting activities.

Additional Requirements for Salt Storage

Salt piles that generate a storm water discharge to waters of the Commonwealth shall be enclosed or covered while not in use to prevent exposure to precipitation.